

**MINUTES OF THE CITY OF LAS VEGAS REGULAR CITY COUNCIL MEETING HELD  
ON WEDNESDAY, NOVEMBER 18, 2020 AT 5:30 P.M. IN THE CITY COUNCIL  
CHAMBERS**

**MAYOR:** Louie A. Trujillo

**COUNCILORS:** David Romero  
David Ulibarri, Jr.  
Elaine Rodriquez  
Michael Montoya

**ALSO PRESENT:** William Taylor, City Manager  
Casandra Fresquez, City Clerk  
Scott Aaron, City Attorney  
Adrian Crespín, Sergeant at Arms

**CALL TO ORDER**

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**MOMENT OF SILENCE**

Councilor Rodriguez recognized and thanked all City employees, Mental Health employees and First Responders for their hard work during the increase of the Covid virus. She asked the community to be very careful and to quarantine when needed, wear masks and social distance and to consider people they interact with to avoid increases in viruses and death.

**APPROVAL OF AGENDA**

Councilor Romero made a motion to approve the agenda as presented. Councilor Ulibarri, Jr. seconded the motion. Mayor Trujillo advised all were in favor and the motion carried.

**PUBLIC INPUT**

City Clerk Fresquez advised there was no public input at this time.

**MAYOR'S APPOINTMENTS/REPORTS AND  
RECOGNITIONS/PROCLAMATIONS**

Mayor Trujillo stated it would be fitting to acknowledge Health Care Workers and First Responders for their duties, responsibilities, their tirelessness and giving of themselves in taking care of the community during this time of Covid-19. He read a proclamation on behalf of himself as Mayor of the City of Las Vegas along with the Governing proclaiming Friday, November 20, 2020 as Health Care Heroes Day in the City of Las Vegas and encouraged the community to recognize them all on that day.

Appointments to the following Boards, Commissions, Advisory Boards and Committees:

- Film Commission
- Lodgers Tax Board
- Design & Review Board
- Board of Adjustment and Planning & Zoning Commission
- Utility Advisory Committee
- KAB Advisory Committee
- Senior Center Advisory Committee
- Tree Board
- Parks & Recreation Advisory Committee
- Airport Board
- Library Board
- Museum Board
- Fiesta Advisory Committee

Councilor Romero advised that the City Charter did not state that board members could not serve more than a 4 year term and also advised that after reviewing the listings, he needed to ask if the qualifications of residency and district representation had been met in the appointments.

Mayor Trujillo advised that he took part in appointing to the committees although could not verify if every board was assigned with district representation.

Councilor Montoya stated that the Finance Committee was not included in the appointment board listing.

City Manager Taylor advised that they were still working on the Finance Committee board list and would be brought to the next Council meeting.

Mayor Trujillo stated for the record, that the Police Oversight Commission was not included in the list due to recommendations coming forth and would be brought to Council at a later date.

Councilor Montoya made the recommendation that the two listings be brought at the same time.

Councilor Romero read Section 6.01 of the City Charter, related to the fact that boards/committees shall include members from every Council ward.

Mayor Trujillo reiterated that he was not able to verify if they had one person from every single ward appointed to the boards.

Councilor Montoya made the motion to table this item until they received appointees for the Police Oversight committee and the Finance Committee and the verification of board members being representatives of each Ward. Councilor Ulibarri, Jr. seconded the motion. Mayor Trujillo advised that all were in favor and the motion carried.

Mayor Trujillo reported that the City of Las Vegas along with San Miguel County would be meeting virtually for an Emergency meeting tomorrow at 5:00 p.m. to discuss the Governor's orders, City/County Public Awareness Campaign and Enforcement of the Governor's orders at a local level. He advised that the City and the County had to meet the criteria in order to get the local economy going again and felt it was important to move into strict enforcement in order to do that.

### **COUNCILORS' REPORTS**



Councilor Rodriguez asked for an update regarding the homeless in the community, she was concerned that they were getting into garages and how it would impact vulnerable senior citizens. She added that she would like to encourage the Council to have virtual Council meetings, not only for the safety of the Council but for the safety of City employees. She advised that she was concerned at the last Council meeting when there were three to four people presenting at the table without social distancing and was concerned that the Governing Body was not following the restrictions and that they should be the role models for the community. Councilor Rodriguez felt going virtual should be an option in keeping people safe and they should follow the example of HUD as they had just conducted a virtual conference.

Mayor Trujillo advised that in regards to the homeless, the homeless shelter was open and they had displaced people along the river and felt that these things occurred in communities as a natural phenomenon. He advised if anyone knew of any squatting or people taking spaces in garages/houses, they should notify the police immediately. He stated that as far as having meetings virtually, that was being looked into and could possibly have a solution for the December meeting.

Councilor Montoya advised that he was also disappointed with the lack of social distancing at the last meeting and addressed his concern to the City Manager and City Clerk. He informed that NMDOT had approved a Contractor to work on the Welcoming sign on north Grand Avenue although he did not have a completion date. He informed that they had met with Mora County Commissioner Veronica Sena in regard to RTDs first run and the bus would run from Holman, Mora, Cleveland and Sapello into town. He was extending the invitation of the ribbon cutting for this project to Mayor and Council, as well as to Senator Pete Campos on December 15th.

Councilor Ulibarri, Jr. asked City Manager Taylor if he and the Public Works Department could take a look at the caboose on the South end of town due to it being in bad shape.

### **CITY MANAGER'S REPORT**

City Manager Taylor reported on current projects taking place that included:

-Changes to the Agenda Request Forms      -311 Service Preparation-Effective January 1, 2020



-Presentation Time Limits  
-Covid-19 Employee Policies

-Account of Cares Act Funding  
-Technology Updates (Council Meetings)

Mayor Trujillo advised that in regard to presentations, he appreciated the work of employees preparing for them although felt for the viewing public and that they should consider the length and time of the meeting. He stated that regarding virtual meetings, many agencies did not have in person meetings anymore and they utilize good systems and that the City needed to increase their options if allowed by the Municipal League.

## **PRESENTATIONS**

Utilities Director, Maria Gilvarry and Gas Division Manager Kenny Lucero presented a report on FY 2021 Gas rate adjustment, informing of a gas rate increase that would take effect in November. They advised that the increase was due to the City's gas provider Zia Natural Gas having an increase in their market price and had to adjust accordingly, as per City Ordinance. Utilities Director Gilvarry advised that the increase on the monthly bill would be \$2.45 and would be informing the public by providing the letter in their monthly bill.

Mayor Trujillo stated that it was not the desire of the Governing Body to increase rates and that it was based on the cost of the provider.

## **FINANCE REPORT**

Finance Director Jesus Baquera presented the Finance Report for the month ending October 31, 2020 reporting the General Fund revenue at 36% and expenditures at 30%. He advised that the Enterprise Funds revenue came in at 21% and expenditures were at 24% and informed the Recreation Center revenue was at 30% and expenditures were at 30%. Mr. Baquera reported the Lodgers Tax revenue at 114% and expenditures were at 16%.

Mayor Trujillo asked Mr. Baquera for the record, if there were any budget concerns that needed to be addressed to the Council at this time.

Mr. Baquera informed there were no concerns to report to the Governing Body regarding the budget.

## **BUSINESS ITEMS**

1. Request to publish Ordinance 20-13 Amending the Code of the City of Las Vegas by adding a new Chapter 290, entitled "Weed and Anti-Litter Ordinance by deleting and repealing Section 12-6-13.15; by amending Section 12-12-1.2 Penalty Assessment Program; by amending Section 179-9; by deleting and repealing Section 301-6(A).

City Attorney Scott Aaron advised this ordinance was enacted pursuant to Sections 2.02 of the City of Las Vegas Municipal Charter and is an exercise of the City of Las Vegas home rule powers. The Weed and Anti-Litter Ordinance is intended to promote the general health, safety and welfare of the residents and visitors of the City.

City Attorney Aaron read for the record the fines for Weed and Anti-Litter ordinance violations, informing that the 1st offense for littering was \$500, 2nd offense \$750 and each subsequent violation \$1,000. He informed the Smoking Product Litter 1st offense fine was \$250 and 2nd offense was \$500.

Discussion took place regarding the publication of the ordinance, public rights to appeal process, business owners responsibilities (trash) and change to the Ordinance regarding Mayor's authority to City Manager's authority.

Councilor Montoya made a motion to publish Ordinance 20-13 amending the Code of the City of Las Vegas by adding a new Chapter 290, entitled "Weed and Anti-Litter Ordinance by deleting and repealing Section 12-6-13; by amending Section 12-12-1.2 Penalty Assessment Program; by amending Section 179-9; by deleting and repealing Section 301-6(A) and to make the change the authorization from Mayor to City Manager. Councilor Romero seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Elaine Rodriquez	Yes	David Romero	Yes
Michael Montoya	Yes	David Ulibarri, Jr.	Yes

City Clerk Fresquez advised the motion carried.



2. Request to publish Ordinance 20-14 Amending the Code of the City of Las Vegas by adding a new Chapter 330, entitled “Riverwalk and park Ordinance”.

City Attorney Aaron advised that this ordinance was enacted pursuant to Sections 2.02 of the City of Las Vegas Municipal Charter and is an exercise of the City of Las Vegas home rule powers. The Riverwalk and Park Ordinance is intended to promote the general health, safety and welfare of the residents and visitors of the City.

Discussion took place regarding the prohibiting the use of fireworks at the Riverwalk park to the ordinance.

Councilor Montoya made a motion to publish Ordinance 20-14 Amending the Code of the City of Las Vegas by adding a new Chapter 330, entitled “Riverwalk and park Ordinance”. Councilor Romero seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Michael Montoya	Yes	David Ulibarri, Jr.	Yes
David Romero	Yes	Elaine Rodriquez	Yes

City Clerk Fresquez advised the motion carried.

3. Request to publish Ordinance 20-15 Amending the Administration of Government code in Section 14-1 through 14-13.

City Attorney Scott Aaron advised this ordinance was enacted pursuant to Sections 2.02 of the City of Las Vegas Municipal Charter and is an exercise of the City of Las Vegas home rule powers. He advised this was an attempt to rectify existing ordinances that were not consistent with the City Charter.

Discussion took place regarding changes to the ordinance that included the Mayor’s term, salaries for Council, changing language from Wards to Districts and Ordinances sighting back to the City Charter.

Councilor Montoya made a motion to publish Ordinance 20-15 Amending the Administration of Government code in Section 14-1 through 14-13.



Councilor Romero seconded the motion. Mayor Louie Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Elaine Rodriquez	Yes	David Ulibarri, Jr.	Yes
Michael Montoya	Yes	David Romero	Yes

City Clerk Fresquez advised the motion carried.

4. Publication of Ordinance 20-16 Amending the Code of the City of Las Vegas by amending the Penalty Assessment Program in Section 12-12-1.2 and to add a new Section 1.8 to Chapter 12 Article VI, to be entitled "Penalty Assessment for Speeding Violations" to be known as 12-6-1.8.

City Attorney Scott Aaron advised this ordinance was enacted pursuant to Sections 2.02 of the City of Las Vegas Municipal Charter and is an exercise of the City of Las Vegas home rule powers. He advised that this was an extension of the Slow Your Roll program and updating the penalty assessment program that included charges up to 10 mph over = \$35, special zones = \$70. Speeding between 11-15 mph \$45, special zones =\$90 Speeding between 16-20 mph \$80, special zones \$160.

Lengthy discussion took place regarding state statute penalties, added court costs, punitive costs as a deterrent, community service options, speeding safety issues and the enforcement of ordinance 20-16.

Councilor Romero made a motion to publish Ordinance 20-16 Amending the Code of the City of Las Vegas by amending the Penalty Assessment Program in Section 12-12-1.2 and to add a new Section 1.8 to Chapter 12 Article VI, to be entitled "Penalty Assessment for Speeding Violations" to be known as 12-6-1.8. Councilor Montoya seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Michael Montoya	Yes	David Romero	Yes
Elaine Rodriquez	No	David Ulibarri, Jr.	Yes

City Clerk Fresquez advised the motion carried.

5. Publication of Ordinance 20-17 Amending the Code of the City of Las Vegas by adding a new Section 80 to Chapter 192, entitled "Noise Control".

City Attorney Scott Aaron advised this ordinance was enacted pursuant to Sections 2.02 of the City of Las Vegas Municipal Charter and is an exercise of the City of Las Vegas home rule powers. He added that this ordinance was in comparison with that of Silver City which emphasized enforcement on the areas of churches, schools and business districts and would require the police department to to purchase decibel reading equipment.

Discussion took place regarding educating the business community on ordinance, posting and conducting radio advertising of ordinances and daytime hours allowed for construction, etc.

Councilor Montoya made a motion to approve to publish Ordinance 20-17 Amending the Code of the City of Las Vegas by adding a new Section 80 to Chapter 192, entitled "Noise Control" with the amendment of the time to 7:00 a.m. Councilor Ulibarri, Jr. seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David Romero	Yes	Michael Montoya	Yes
David Ulibarri, Jr.	Yes	Elaine Rodriguez	Yes

City Clerk Fresquez advised the motion carried.

6. Resolution No. 20-67 for a one (1) year extension to Contract Grant Agreement No. D15952, Control No. L400397.

Public Works Manager Daniel Gurule advised this agreement was for the planning, designing, construction pavement rehabilitation, reconstruction, construction management, drainage improvements, miscellaneous construction for Keen Street and West National Avenue.

Councilor Ulibarri, Jr. made a motion to approve Resolution No. 20-67 for a one (1) year extension to Contract Grant Agreement No. D15952, Control No. L400397.

Councilor Rodriguez seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Michael Montoya	Yes	David Romero	Yes
Elaine Rodriguez	Yes	David Ulibarri, Jr.	Yes

City Clerk Fresquez advised the motion carried.

7. Resolution No. 20-68 for a one (1) year extension to Contract Grant Agreement No. D18053, Control No. L400446.

Public Works Manager Gurule advised this agreement was for the planning, designing, construction, pavement rehabilitation, drainage improvements, construction management, and miscellaneous construction to Keen Street and West National Avenue.

Councilor Romero made a motion to approve Resolution No. 20-68 for a one (1) year extension to Contract Grant Agreement N. D18053, Control N. L400446. Councilor Ulibarri, Jr. seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David Romero	Yes	David Ulibarri, Jr.	Yes
Elaine Rodriguez	Yes	Michael Montoya	Yes

City Clerk Fresquez advised the motion carried.

### **EXECUTIVE SESSION**

Councilor Romero made a motion to go into Executive Session to discuss personnel matters, as permitted by Section 10-15-1 (H)(2) of the New Mexico Open Meetings Act, NMSA 1978. Councilor Montoya seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David Romero	Yes	Michael Montoya	Yes
Elaine Rodriguez	Yes	David Ulibarri, Jr.	Yes



City Clerk Fresquez advised the motion carried.

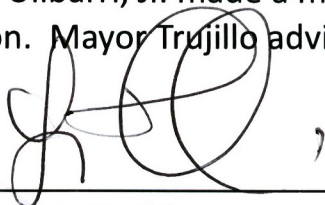
Councilor Romero made a motion to exit executive session, enter into regular session, he advised that only personnel matters were discussed and no action was taken. Councilor Ulibarri, Jr. seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Elaine Rodriquez	Yes	Michael Montoya	Yes
David Ulibarri, Jr.	Yes	David Romero	Yes

City Clerk Fresquez advised the motion carried.

**ADJOURN**

Councilor Ulibarri, Jr. made a motion to adjourn. Councilor Montoya seconded the motion. Mayor Trujillo advised that all were in favor and the motion carried.



\_\_\_\_\_  
Mayor Louie A. Trujillo

ATTEST:

  
\_\_\_\_\_  
Casandra Fresquez, City Clerk